

## ARTICLE IV.

## JUDICIAL DEPARTMENT.

SECTION 1. The distinctions between actions at law and suits in equity, and the forms of all such actions and suits shall be abolished, and there shall be in this State but one form of action, for the enforcement or protection of private rights or the redress of private wrongs, which shall be denominated a civil action; and every action prosecuted by the people of the State as a party, against a person charged with a public offence, for the punishment of the same, shall be termed a criminal action. Feigned issues shall also be abolished, and the fact at issue tried by order of Court before a jury.

Abolishes the distinction between actions at law and suits in equity.

Feigned issues abolished.

SEC. 2. Three Commissioners shall be appointed by this Convention to report to the General Assembly at its first session after this Constitution shall be adopted by the people, rules of practice and procedure in accordance with the provisions of the foregoing section, and the Convention shall provide for the Commissioners a reasonable compensation.

Apportionment and duties of three Commissioners.

SEC. 3. The same Commissioners shall also report to the General Assembly as soon as practicable, a code of the law of North Carolina. The Governor shall have power to fill all vacancies occurring in this Commission.

Code of law.

SEC. 4. The Judicial power of the State shall be vested in a Court for the trial of Impeachments, a Supreme Court, Superior Courts, Courts of Justices of the Peace, and Special Courts.

Division of Judicial powers.

SEC. 5. The Court for the trial of Impeachments shall be the Senate. A majority of the members shall be necessary to a quorum, and the judgement shall not extend beyond removal from, and disqualification to hold office in this State; but the party shall be liable to indictment and punishment according to law.

Trial court of impeachment.